

AMENDED IN ASSEMBLY JUNE 22, 2005

AMENDED IN SENATE APRIL 28, 2005

AMENDED IN SENATE APRIL 20, 2005

**SENATE BILL**

**No. 187**

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**Introduced by Senator Soto**

February 10, 2005

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An act to add Section 116365.3 to the Health and Safety Code, relating to drinking water.

LEGISLATIVE COUNSEL'S DIGEST

SB 187, as amended, Soto. Drinking water: contaminants.

The California Safe Drinking Water Act requires the State Department of Health Services to adopt primary drinking water standards for contaminants in drinking water and prohibits those standards from being less stringent than the national primary drinking water standards adopted by the United States Environmental Protection Agency. The act requires the Office of Environmental Health Hazard Assessment to prepare and publish an assessment of the risks to public health posed by each contaminant for which the department proposes a primary drinking water standard. The act requires the risk assessment to contain an estimate of the level of the contaminant in drinking water that is not anticipated to cause or contribute to adverse health effects, or that does not pose any significant risk to health, to be known as the public health goal for the contaminant.

The act requires all public health goals published by the office to be established in accordance with public health considerations and factors, and be reviewed at least once every 5 years and revised as necessary based upon the availability of new scientific data.

In conducting the review and revision of public health goals, the act authorizes the office to give special consideration to those contaminants that cause or contribute to adverse health effects in members of subgroups of the population that are at greater risk of adverse health effects than the general population when exposed to the contaminant in drinking water, including infants and children. In preparing and publishing risk assessments that involve infants and children, the act requires the office to assess, to the extent information is available, (1) exposure patterns, (2) special susceptibility of infants and children to contaminants in comparison to the general population, (3) the effects on infants and children of exposure to contaminants and other substances that have a common mechanism of toxicity, and (4) the interaction of multiple contaminants on infants and children.

This bill would require the office to revise the public health goal for perchlorate in drinking water as soon as possible after new methods for analyzing pathways of exposure become available to the office, or after new findings, *as defined*, indicate that the public health goal is insufficient to protect vulnerable populations, *and would require the department to amend its maximum contamination level*.

Vote: majority. Appropriation: no. Fiscal committee: yes.  
State-mandated local program: no.

*The people of the State of California do enact as follows:*

1 SECTION 1. Section 116365.3 is added to the Health and  
2 Safety Code, to read:  
3 116365.3. (a) The Office of Environmental Health Hazard  
4 Assessment shall revise the public health goal for perchlorate in  
5 drinking water as soon as possible after new methods for  
6 analyzing pathways of exposure become available to the office,  
7 ~~or as soon as possible~~ *within six months* after new findings  
8 indicate that the current public health goal may be insufficiently  
9 protective of pregnant women, fetuses, infants, or other  
10 vulnerable populations. *The department shall amend the*  
11 *maximum contaminant level for perchlorate in response to the*  
12 *amended public health goal for perchlorate within 12 months*  
13 *after the amended public health goal has been issued.*  
14 (b) For the purposes of this section, “new findings” shall  
15 include any of the following:

1     *(1) Any risk assessment conducted by any state agency in the*  
2     *United States after April 1, 2005, that concludes that perchlorate*  
3     *exposure at levels below the California public health goal poses*  
4     *a risk to pregnant women, fetuses, infants, or other vulnerable*  
5     *populations.*

6     *(2) A maximum contaminant level or equivalent standard*  
7     *issued by any state agency in the United States after April 1,*  
8     *2005, that is lower than the current public health goal issued by*  
9     *the State of California.*

10    *(c) The public health goal and maximum contaminant level*  
11    *shall not be required to be updated under this section more*  
12    *frequently than once every four years.*